

**OFFICIAL RESOLUTION TO THE CHIEF OF THE USDA/NRCS  
FROM THE USDA AGRICULTURAL AIR QUALITY TASK FORCE**

**August 21, 2014**

**USE OF UAVs FOR AGRICULTURAL PURPOSES**

On June 13, 2014, Mark W. Bury, Assistant Chief Counsel for International Law, Legislation and Regulations FAA, AGC-200 sent a memorandum to James Williams, Manager, Unmanned Aircraft Systems (UAS) Integration Office FAA, AFS-80 on the subject of UAS Operations by Public Universities for Aeronautical Research. In that memorandum, the Assistant Chief Counsel for International Law Legislation and Regulations stated that the term “aeronautical research,” in a more limited sense, is the development of aircraft and systems.

*“For UAS, we interpret the term as research and testing of the aircraft themselves, the control systems, the control systems, equipment that is part of the aircraft (such as sensors), flight profiles, or development of specific functions and capabilities for them.”*

FAA continues in this memorandum that the types of research that may be conducted using a public aircraft beyond the categories of aeronautical research described would not be consistent with the intent of §40125. The FAA appears to contradict itself elsewhere in the memorandum when the FAA states that:

*“A state university with a UAS public aircraft COA could use its COA for aeronautical research if such research is the state’s intended mission. The findings of the research would have to belong to the state regardless of the source of funding, including research grants from private entities.”*

Universities with UAS programs expand aeronautical research opportunities by adding and testing various pieces of equipment to the main body of the aircraft to determine applicability to other research projects at the university. However, testing of crops does not apply to this interpretation because it is not “aeronautical research”. The implication of this memo could significantly limit beneficial agricultural research and commercial development of systems important to agriculture.

**RESOLUTION:**

The USDA AAQTF at its meeting on August 21, 2014 requests that the Chief of the NRCS contact the FAA to secure clarification and approval for the use of Unmanned Aerial Vehicles (UAVs) for agricultural research and commercial agricultural applications.